



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm 206, PO Box 40908 * Olympia, Washington 98504-0908 * (360) 753-1111 * Fax (360) 753-1112
Toll Free 1-877-601-2828 * E-mail: pdcc@pdcc.wa.gov * Website: www.pdc.wa.gov

MEMORANDUM

TO: Philip E. Stutzman, Director of Compliance

FROM: Vicki Rippie, Executive Director

DATE: September 12, 2006

SUBJECT: Complaint Against Kenneth Berger and Michael Donow – 2001 Monroe City Council Election

RCW 42.17.120 prohibits any contribution to be made, and any expenditure to be incurred, directly or indirectly, in a fictitious name, anonymously, or by one person through an agent, relative, or other person in such a manner as to conceal the identity of the source of the contribution or in any other manner so as to effect concealment.

RCW 42.17.780 prohibits any person from directly or indirectly reimbursing another person for a contribution to a candidate for public office, political committee, or political party.

Summary:

On September 11, 2006, the Public Disclosure Commission received information indicating that concealed contribution activity and reimbursement of a campaign contribution may have taken place in the 2001 Monroe City Council campaign. The information was provided in a letter from Michael Donow, who stated that he took part in the alleged activity.

Mr. Donow stated that during the 2001 Monroe City Council campaign, he was asked by Robert Holman for a campaign contribution of \$1,500. Mr. Holman was then the Mayor of Monroe, and a candidate for city council. Mr. Donow stated that he did not have the means to contribute, a fact he said was known by Mr. Holman.



Mr. Donow stated that Ken Berger, a Monroe city council member who was aware of Mr. Donow's limited financial means, gave him a check for \$1,500 for the campaign contribution. Mr. Donow stated he deposited the check, and then gave Bob Holman a check for \$1,500. Mr. Holman's C-3 reports show Mr. Donow contributing \$1,500 on October 21, 2001. Mr. Donow's bank records show that a deposit for \$1,500 was credited to his account on October 22, 2001, and that a check written by Mr. Donow cleared his bank account on October 23, 2001.

Alleged Violations

These facts indicate that Kenneth Berger and Michael Donow may have violated RCW 42.17.120 by making a \$1,500 contribution to the 2001 Bob Holman campaign for Monroe City Council in such a manner as to conceal the identity of the source of the contribution, and that Kenneth Berger may have violated RCW 42.17.780 by reimbursing Mr. Donow for the contribution.

Based on this information, I am filing this complaint and directing staff to investigate whether Kenneth Berger and Michael Donow violated chapter 42.17 RCW.



Vicki Rippie, Executive Director

9/12/06

Date